

**ADDENDUM**  
**DANIA BEACH CITY COMMISSION**  
**REGULAR MEETING**  
**TUESDAY, NOVEMBER 8, 2011 – 7:00 P.M.**

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ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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LOBBYIST REGISTRATION REQUIRED. REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY THE COMMISSION ON ANY PETITION OR ISSUE PURSUANT TO ORDINANCE # 01-93. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE IN THE ADMINISTRATION CENTER.

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IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

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IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
  - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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## **7. CONSENT AGENDA**

### **7.15 RESOLUTION #2011-139**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO TERMINATE THE DEVELOPMENT AGREEMENT WITH DOWNTOWN DANIA BEACH DEVELOPMENT, LLC; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

## **RESOLUTION NO. 2011-139**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO TERMINATE THE DEVELOPMENT AGREEMENT WITH DOWNTOWN DANIA BEACH DEVELOPMENT, LLC; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on November 24, 2009, the Dania Beach Community Redevelopment Agency (“CRA”) and the City of Dania Beach, Florida (“City”) entered into a Development Agreement with Downtown Dania Beach Development, LLC (“Downtown”) for the development of its City Center Project (the “Project”); and

**WHEREAS**, the CRA has determined that it would be in its best interest to terminate the Development Agreement without cause with a minimum of seven days prior written notice to Downtown, consistent with its terms, a copy of which is attached as Exhibit “A”; and

**WHEREAS**, the City Commission finds that termination of the Development Agreement is in the City’s best interest;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2.** Termination of the Development Agreement for the development of the Project between the CRA, the City and Downtown with a minimum of seven days prior written notice, consistent with the terms and conditions of the Development Agreement, is approved.

**Section 3.** The City Manager is authorized to execute the Notice of Termination on behalf of the City and to execute any required agreements or documents, to terminate the Development Agreement, subject to the approvals as to form and legality by the City Attorney.

**Section 4.** That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

**Section 5.** That this Resolution shall be in force and take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** on November 8, 2011.

ATTEST:

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LOUISE STILSON, CMC  
CITY CLERK

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PATRICIA A. FLURY  
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

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THOMAS J. ANSBRO  
CITY ATTORNEY